

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: IOWA TELECOMMUNICATIONS SERVICES, INC., d/b/a IOWA TELECOM	DOCKET NO. SPU-02-9
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**ORDER DOCKETING REQUEST AND SHORTENING TIME
FOR ANSWER**

(Issued July 2, 2002)

On June 28, 2002, Iowa Telecommunications Services, Inc., d/b/a Iowa Telecom (Iowa Telecom), filed with the Utilities Board (Board) a request for approval to disconnect access services being provided to WorldCom, Inc. (WorldCom). Iowa Telecom states that it provides intrastate access charges to WorldCom pursuant to Iowa Telecom's telephone tariff Iowa No. 2, entitled "Facilities for Intrastate Access." Iowa Telecom alleges it has the right pursuant to that tariff to demand a deposit and, upon WorldCom's failure to provide a deposit, to discontinue providing intrastate access services to WorldCom, based upon WorldCom's payment history and "precarious financial health."

However, Iowa Telecom also states that "given the number of Iowa Telecom customers who use WorldCom services and to avoid any issues concerning compliance with Iowa law, regulation, or company tariffs, permission to disconnect service to WorldCom is sought under Iowa Code Section 476.20." Iowa Telecom

asks that the Board issue an expedited order authorizing Iowa Telecom to discontinue access service to WorldCom after July 5, 2002.

Iowa Code § 476.20(1) provides as follows:

1. A utility shall not, except in cases of emergency, discontinue, reduce, or impair service to a community, or a part of a community, except for nonpayment of account or violation of rules and regulations, unless and until permission to do so is obtained from the board.

It appears Iowa Telecom's proposed disconnection of access service to WorldCom would also discontinue, reduce, or impair service to the Iowa Telecom end-user customers who have chosen WorldCom as their preferred interexchange carrier. Iowa Telecom does not allege those customers have failed to pay their accounts or violated any rules or regulations, so it appears Iowa Telecom cannot discontinue access services to WorldCom unless and until permission to do so is obtained from the Board, because of the inevitable impairment of service that would be suffered by other customers. Thus, Iowa Telecom shall not discontinue service to WorldCom on or after July 5, 2002, or at any other time, without the Board's prior permission.

Moreover, the exhibits attached to Iowa Telecom's request make it clear that WorldCom does not agree that Iowa Telecom has the right to a deposit or to disconnect WorldCom's access services.¹ No explanation of WorldCom's position is offered; nonetheless, it would be premature for the Board to grant Iowa Telecom's

¹ Because this may become an interconnection dispute, Iowa Code § 476.11 may provide an alternative source of authority for Board review of this matter. It is also possible that issues under 47 U.S.C. §§ 251-254 could arise in this docket.

request before hearing from WorldCom. Accordingly, the Board will docket Iowa Telecom's request for investigation. In order to expedite matters, the Board will order that WorldCom shall file its answer to the request on or before July 5, 2002.

IT IS THEREFORE ORDERED:

1. The "Request For Immediate Disconnection Of WorldCom Service" filed by Iowa Telecommunications Services, Inc., d/b/a Iowa Telecom, on June 28, 2002, is docketed for investigation. The matter will be identified as Docket No. SPU-02-9.
2. WorldCom, Inc., shall file its answer to the Iowa Telecom request on or before July 5, 2002.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 2nd day of July, 2002.